

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-20 are pending; Claims 13-20 are newly added; and no claims are amended or canceled therewith. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, the Abstract was objected to; Claims 1, 2, 4, 6-8, 10, and 12 were rejected under 35 U.S.C. § 102(b) as anticipated by Muranaga et al. (U.S. Pat. No. 4,851,896, hereafter Muranaga); and Claims 3, 5, 9, and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Muranaga in view of Miksch et al. (U.S. Pat. No. 6,160,250, hereafter Miksch).

With regard to the objection to the Abstract, the informalities noted in the outstanding Office Action have been addressed by this amendment. Accordingly, it is respectfully requested that this objection be withdrawn.

With regard to the outstanding rejection of Claims 1, 2, 4, 6-8, 10, and 12 under 35 U.S.C. § 102(b) as anticipated by Muranaga, that rejection is respectfully traversed. Claim 1 recites, in part, a flexible board provided at the housing, on which the light source is positioned. Claim 7 recites analogous features.

At page 2, the outstanding Office Action alleges that Muranaga discloses the flexible board recited in independent Claims 1 and 7. More specifically, the Office Action states that “the inner surfaces such as surface 1a, 1b, front and rear surfaces of the housing 1 and/or frame 17, etc. are interpreted as a flexible board.” The outstanding Office Action then cites to col. 3, lines 1-10 to support this assertion. However, there is no support in the cited portion (or in any other portion) of Muranaga to support the allegation that the surfaces of Muranaga are flexible.

As set forth in MPEP § 2112, “The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic.” *In re Rijckaert*, 9 F.3d 1531, 1534 (Fed. Cir. 1993). Moreover, inherency may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient. *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999).

As the outstanding Office Action has not provided any support in the teachings of Muranaga to support the allegation that the flexible board of Claims 1 and 7 is taught by Muranaga, it is respectfully submitted that the outstanding Office Action has not satisfied the requirements set forth in MPEP § 2112. Moreover, nothing in Muranaga or the remaining cited references establishes obviousness of the combined features set forth in Claims 1 and 7. Accordingly, since the outstanding Office Action has not provided a case of anticipation or obviousness with regard to the features of Claims 1 and 7, it is respectfully requested that the outstanding rejection of Claims 1, 2, 4, 6-8, 10, and 12 be withdrawn.

With regard to the rejection of Claims 3, 5, 9, and 11 under 35 U.S.C. § 103(a) as unpatentable over Muranaga in view of Miksch, that rejection is also respectfully traversed.

As noted above, Muranaga fails to disclose or suggest the flexible board of independent Claims 1 and 7. Miksch does not overcome the deficiencies of Muranaga with regard to Claims 1 and 7, and therefore, even if considered collectively, the cited references fail to render obvious the present invention.

Moreover, it is respectfully submitted that there is no basis in the teachings of either Muranaga or Miksch to support this combination. The outstanding Office Action fails to cite to any specific teachings within either of these references to support the applied combination. Thus, it is respectfully submitted that it is only in view of the Applicants’ inventive efforts as set forth in the present specification that one of ordinary skill in the art would achieve the

present invention. Accordingly, it is respectfully submitted that the combination of Muranaga and Miksch is the result of hindsight reconstruction, and is improper.

Newly added Claims 13-20 recite additional features that are not disclosed or suggested by the applied references. Thus, while Claims 13-20 patentably distinguish over the applied references for at least the reasons set forth with respect to Claims 1 and 7, they also include additional features that distinguish over these references. Additionally, because support for newly added Claims 13-20 is found in the specification, at least at paragraphs [0027]-[0030], [0034], [0037], and [0044]-[0047], it is respectfully submitted that no new matter is added by Claims 13-20.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A Notice of Allowance for Claims 1-20 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, he or she is encouraged to contact Applicants' undersigned representatives at the below listed telephone number.

Respectfully submitted,


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